IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
O.O.C.J.

NOTICE OF MOTION NO. 2185 OF 2002.
IN
INCOME TAX APPEAL (L) NO. 647 OF 2002.

Shri Pankaj Kapoor for the appellant.
Ms. Dabholkar for the respondent.

CORAM: V.C.DAGA &
J.P.DEVADHAR,JJ.
DATED: 11-4-2005.

P.C.

1. In spite of grant of sufficient time to file better affidavit vide our order dated 4.3.2004 no efforts were made by the department to file better affidavit. Reasons given for condonation of delay cannot be said to be sufficient for non-compliance of the order of this Court dated 4.3.2004. Tthe Notice of Motion is dismissed with no order as to costs. Consequently, appeal papers be consigned to record.